Application No.: 10/697,772   Docket No.: JCLA10907

REMARKS

This is a full and timely response to the outstanding nonfinal Office Action mailed Feb.

13, 2006. Applicants submit that claims 1, 8 and 9 have been amended, and new claims 15-20

are added hereby. Support for the changes of claims 1, 8 and 9 and new claims 15-20 can be

found in the specification and drawings, and particularly in Paragraph 0020 and FIGS. 3A and 3B.

Reconsideration and allowance of the application and presently pending claims 1-14 as originally

filed, and claims 15-20 as newly added, are respectfully requested.

Drawings

The drawings are objected to as they include a reference (S135) not described in the

disclosure. Applicants have amended the specification in which the reference S135 is described.

Applicants submit that the reference S135 is a step presented in self-described words, and an

amendment to the specification within the scope of the self-description of S135 does not enter

new matter.

Claim Rejections – 35 U.S.C. § 102

The Office Action rejected claims 1-14 under 35 U.S.C. 102(b) as being anticipated by

Walsh et al. 6,202,121.

In response to the rejection to claims 1-14 under 35 U.S.C. 102(b) as being anticipated by

Walsh et al. '121, Applicants have amended claims 1, 8, and 9 and hereby otherwise traverse this

rejection.   As such, Applicant submits that claims 1-14 are now in condition for allowance.

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With respect to claim 1, as currently amended, recites in part:

An operating system loading method ... comprising:

> **judging whether the operating system is first time booted or not;**
>
> **creating a cluster-list-table if the operating system is first time booted;**
>
> (Emphasis added)

Applicants submit that such an operating system as set forth in claim 1 is neither taught, disclosed, nor suggested by Walsh et al. '121, or any of the other cited references, taken alone or in combination.

Walsh et al. '121 fails to disclose, teach or suggest the steps of **"judging whether the operating system is first time booted or not"** and **"creating a cluster-list-table if the operating system is first time booted"** as set forth in claim 1 (Emphasis added). The Examiner indicates that the step of "judging whether the operating system is first time booted or not" has been disclosed by Walsh et al. '121 (Column 3, lines 2-6). However, such a step can not be found either clearly or inherently taught in the indicated section of Walsh et al. '121. Further, although Walsh et al. '121 discloses a load sequence list, he teaches no condition, i.e., "if the operating system is first time booted" as set forth in claim 1, necessary for creating such a load sequence list. Therefore, Walsh et al. '121 fails to teach, disclose or suggest each and every element as set forth in claim 1, thus claim 1 and its dependent claims 2-7 are submitted to be novel and nonobvious over Walsh et al. '121, and should be allowable (MPEP §2131).

With respect to claim 8, as currently amended, recites in part:

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An operating system loading method ... comprising:

     ... sorting the cluster-list-table according to a new sequence of cylinder, head, and sector numbers thereof ...

Applicants submit that Walsh et al. '121 fails to teach, disclose or suggest a step of "sorting the cluster-list-table according to a new sequence of cylinder, head, and sector numbers thereof" that is required for the present operating system loading method as set forth in claim 8, as currently amended. Therefore, claim 8 and its depended claims 9-14 are submitted to be novel and nonobvious over Walsh et al. '121, or any of the other cited references, taken alone or in combination, and thus should be allowed.

New Claims

Newly added claims 15-20 depend from independent claims 1 and 8 respectively, thus are also allowable.

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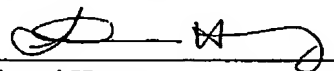
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-20 are in proper

condition for allowance and an action to such effect is earnestly solicited.   If the Examiner

believes that a telephone conference would expedite the examination of the above-identified

patent application, the Examiner is invited to call the undersigned.

                                                            Respectfully submitted,
                                                            J.C. PATENTS

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